IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 9486 of 2004

Between:

Smt. M. Venkateswari, w/o M. B. Bhaskar Reddy,
R/o Tallapoddatur village, R.S. Kondapur Mandal, Cuddapah District, President of Divya Swayam Sahayaka Brundam , Tallaproddatur Village, Cuddapah District.

..... PETITIONER

AND

1 The District Collector, Cuddapah.
2 The Superintendent Engineer, RWS, Cuddapah.
3 The Executive Engineer, Panchayat Raj (RWS), Pulivendula, Cuddapah

District.
4 The Deputy Executive Engineer, Panchayatraj (RWS),

Jammalamadugu, Cuddapah District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or mandamus or any other appropriate writ or direction declaring the action of the respondents 2 to 4 in not permitting the petitioner to execute the work as per the proceedings issued in Rc.Lr.No. DM/04-05 dated 12-4-2004 as illegal and arbitrary and consequently direct the respondents 2 to 4 to permit the petitioner to complete the work.

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.9486 OF 2004

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ORDER:

The petitioner is resident of Tallaproddatur village in R.S.Kondapur Mandal of Kadapa District. The District Collector, Kadapa, first respondent herein, by proceedings being Ref:D5/2052/2003, dated 19.03.2004, accorded administrative sanction for as many as 174 drinking water works in ten Assembly Constituencies in Kadapa District. The completion of incomplete pipeline in the habitation of Tallaproddatur in Kondapur Mandal is one such work. The fourth respondent herein by communication dated 12.04.2004 requested the petitioner to take over the said work, after duly executing the agreement with the Department of Panchayat Raj (RWS) of Jammalamadugu. As per the said communication, the work at an estimated cost of Rs.1.80 lakhs (Rupees one lakh eighty thousand only) has to be completed within a period of two months. Alleging that the respondents did not permit the petitioner to take up the work, the petitioner filed the present writ petition seeking a direction to the respondents to permit her to complete the work. This Court while admitting the writ petition on 01.06.2004 passed interim orders in W.P.M.P.No.12131 of 2004 directing the respondents 2 to 4 to permit the petitioner to execute the work as per the proceedings issued by fourth respondent referred to hereinabove.

Respondents 1 to 4 moved this Court by filing W.V.M.P.No.2188 of 2004 alleging that though the site was handed over to the petitioner on 12.04.2004, she did not approach the Assistant Executive Engineer to execute the work. The allegation that the officials objected the petitioner from executing the work is denied.

A perusal of the counter affidavit would show that the respondents have not taken any adversarial stand and even handed over the site to the petitioner. Be that as it is, learned Government Pleader for Panchayat Raj submits that the petitioner has already completed the work and bills were already paid. In that view of the matter, the writ petition need not be kept pending.

The writ petition is accordingly disposed of recording the submission of the learned Government Pleader for Panchayat Raj.

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(V.V.S.RAO,J)

30.09.2004.

pln

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, Cuddapah.
2. The Superintendent Engineer, RWS, Cuddapah.
3. The Executive Engineer, Panchayatraj (RWS), Pulivendula, Cuddapah District.
4. The Deputy Executive Engineer, Panchayatraj (RWS), Jammalamadugu, Cuddapah District.
5. 2 CCs to the G.P. for Panchayat Raj and Rural Development, High Court Buildings, Hyderabad (OUT).
6. 2 CD copies.